



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/758,307	01/14/2004	Melody A. Cobleigh	39740-0008A

25213  
HELLER EHRMAN WHITE & MCAULIFFE LLP  
275 MIDDLEFIELD ROAD  
MENLO PARK, CA 94025-3506

**RECEIVED**  
**APR 09 2004**  
**HEWM LLP - P.A.**

CONFIRMATION NO. 5600

## FORMALITIES LETTER



\*OC000000012278662\*

Date Mailed: 04/06/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/09/2004 MHEKONEN 00000148 081641 10758307

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 385.00 DA  
02 FC:2201 344.00 DA  
03 FC:2202 468.00 DA  
04 FC:2203 145.00 DA  
05 FC:2051 65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1914 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2814 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$1914

06/09/2004 MHEKONEN 00000148 10758307

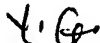
01 FC:2001 385.00 DA  
02 FC:2201 344.00 DA  
03 FC:2202 468.00 DA  
04 FC:2203 145.00 DA  
05 FC:2051 65.00 DA

- \$688 for 8 independent claims over 3.
- \$936 for 52 total claims over 20.
- \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date: June 4, 2004. **EXPRESS MAIL LABEL: EL 977 673 833 US**

*Sandra Puljic*  
Sandra Puljic

**PATENT**

Practitioner's Docket No. 39740-0008A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re application of Cobleigh, et al.

Group No.: Unassigned

Serial No.: 10/758,307

Examiner: Unassigned

Filed: 1/14/2004

For: GENE EXPRESSION MARKERS FOR BREAST CANCER PROGNOSIS

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**COMPLETION OF FILING REQUIREMENTS—NONPROVISIONAL APPLICATION**

- I. This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed 04/06/2004. A copy of the Notice to File Missing Parts of Nonprovisional Application is enclosed.

**DECLARATION OR OATH**

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

**POWER OF ATTORNEY**

- III. This application claims priority under 35 USC 119(e) of US Provisional Application No. 60/440,861, filed January 16, 2003.

IV.

**COMPLETION FEES**

- |  |          |
|--|----------|
| 1. Filing Fee: Original patent application (37 C.F.R. 1.16(a))               | \$385.00 |
| 2. Fee for Claims: Each claim in excess of 20 (37 C.F.R. 1.16(c))            | \$468.00 |
| 3. Fee for Claims: Each independent claim in excess of 3 (37 C.F.R. 1.16(b)) | \$344.00 |
| 4. Fee for Claims: Each multiple dependent claim (37 C.F.R. 1.16(d))         | \$145.00 |
| 5. Surcharge Fee: Late payment of filing fee (37 C.F.R. 1.16(e))             | \$65.00  |

Total completion fees \$1407.00

**TOTAL FEES DUE**

- V. The total fee due is: Completion Fees \$1407.00 Extension of Time Fees \$0.00 Corrected Filing Receipt Fees \$0.00

**TOTAL FEES DUE \$1407.00****PAYMENT OF FEES**

- VI. Charge Account No. 08-1641 (Docket No. 39740-0008A) in the amount of \$1407.00.  
Please charge Account No. 08-1641 (Docket No. 39740-0008A) for any fees that may be due by this paper.

*Ginger R. Dreger*  
Ginger R. Dreger, Reg. No. 33,055

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